

2013 MAY -7 AM 12:07

IN THE UNITED STATES DISTRICT COURT FOR  
THE SOUTHERN DISTRICT OF GEORGIA  
SAVANNAH DIVISION

MORGAN HOUSTON,

Petitioner,

v.

UNITED STATES OF AMERICA,

Respondent.

CASE NO. CV412-194

CLERK  
SO. DIST. OF GA.

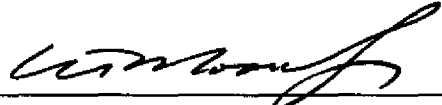
O R D E R

Before the Court is Petitioner's Notice of Appeal, which the Eleventh Circuit has construed as a request for Certificate of Appealability (Doc. 12) and Petitioner's Motion for Leave to Appeal In Forma Pauperis (Doc. 17). Pursuant to 28 U.S.C. § 2253(c), an appeal may not be taken in this matter unless the court issues a Certificate of Appealability. This certificate may issue only if Petitioner has made a substantial showing of the denial of a constitutional right. Slack v. McDaniel, 529 U.S. 473, 484 (2000).

The Court has carefully considered Petitioner's claims and finds that he cannot meet the above standard. Accordingly, Petitioner's construed request for Certificate of Appealability is **DENIED**. As a result, Petitioner's

Motion for Leave to Appeal In Forma Pauperis (Doc. 17) is  
DISMISSED AS MOOT.

SO ORDERED this 6<sup>th</sup> day of May 2013.

A handwritten signature in black ink, appearing to read 'William T. Moore, Jr.', written over a horizontal line.

WILLIAM T. MOORE, JR.  
UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF GEORGIA